IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

MACA.No. 1498 of 2005()

OPMV.2003/2000 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KOTTAYAM
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: APPELLANT/PETITIONER

MATHEWS GEORGE, S/O.GEORGE,
KUNNAPPALLIL HOUSE, KARIMANNOOR P.O.,
CHERADI P.O., IDUKKI DISTRICT.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS:
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1. JOHN JOSEPH, S/O.JOSEPH THOMAS,
MOONNUTHENGIL HOUSE, CHIRAYILPADAM,
PUTHENANGADY, KOTTAYAM.

2. THE UNITED INDIA INSURANCE CO.LTD.,
KOTTAYAM.

R2 BY ADV. SRI.M.A.GEORGE

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.

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C.M.Appl.2077/2005 &
M.A.C.A.NO.1498/2005

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Dated this the 5th day of December, 2007

JUDGMENT

Radhakrishnan, J.

There is a delay of 672 days in filing the appeal. We have perused the affidavit filed in support of the application for condonation of delay. So also, the counter affidavit filed by the respondents. We are satisfied that no sufficient grounds have been made out to condone the delay. We have also perused the award of the Tribunal. No oral evidence have been adduced by the claimant. Ext.A14 was also not proved. No doctor was examined. The Tribunal has doubted the veracity of Ext.A14 as well. All the same, the Tribunal has awarded a total compensation of Rs.20,000/-. We find that the same is reasonable.

In such circumstances, the application for condonation of delay is dismissed. Consequently, the appeal is also dismissed.

(K.S. Radhakrishnan, Judge.)

(T.R. Ramachandran Nair, Judge.)

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K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.

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No.

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JUDGMENT

November, 2007.